

# THE UNIVERSITY OF TEXAS AT SAN ANTONIO

## DOCUMENTS AND PROCEEDINGS OF THE GENERAL FACULTY

### SUMMARY MINUTES OF THE FACULTY SENATE MEETING Of May 4, 2023

The regular monthly meeting of the Faculty Senate for the 2022-2023 academic year was held May 4, 2023 at 3:30 p.m. via Zoom (online meeting) with Dr. René Zenteno, Chair of the Faculty Senate, presiding.

#### I. Call to order and taking of attendance.

Present: René Zenteno, Chris Packham, Sonya Aleman, Curtis Brewer, Kirsten Gardner, Alex Godet, Andrew Lloyd, Mary McNaughton-Cassill, Kerry Sinanan, Chad Mahood, Valerie Sponsel, Victor Villarreal, John Alexander, David Beheshti, Kiran Bhaganagar, Lorenzo Brancaleon, James Chambers, Whitney Chappell, Xun Chen, Candace Christensen, Sidury Christiansen, Neil Debbage, Victor DeOliveira, Mary Dixon, Dmitry Gokhman, Zaid Haddad, Marcus Hamilton, Ying Huang, Drew Johnson, Michael Karcher, Kim Kline, Brian Laub, Huy Le, Charles Liu, Ashwin Malshe, Justin Marmolejo, George Perry, Jeff Prevost, Rica Ramirez, Lauren Riojas Fitzpatrick, Devon Romero, Kirk Schanze, Arturo Schultz, Maho Sonmez, Marie Tillyer, Zijun Wang, David Weber, and Zenong Yin

Absent: Hector Aguilar, August (Gus) Allo, Ginny Garcia, Dennis Lopez (excused), Sue Ann Pemberton, Branco Ponomariov, John Quarles, Gabriela Romero Uribe (excused), Humberto Saenz, and Tianou Zhang

Guests: Heather Shipley, Carlos Martinez, JoAnn Browning, Nicole Beebe, Alejandra Elenes, Lilliana Saldana, Sylvia Mendoza, Sylvia Fernandez, Debra Del Toro, Ximena Barbagelatta Grau, Angela Griffith, Yvette Milo and Debbie Howard Rappaport

Total members present: 48    Total members absent: 10

#### II. Consent Agenda

- Approval of Minutes – April 6, 2023 Faculty Senate Meeting
- Elect Vice Chair/Chair Elect – Alexis Godet
- Graduate Council items – approved at their May 2, 2023 meeting
  - M.A. in Chicana/x Studies
  - Ph.D. in Applied Community Research
  - Dual Degree in Cyber Security (UTSA/ACOB and Tec de Monterrey)
  - Graduate Council Executive Committee election results:
    - Chair – Victor Villarreal
    - Secretary – Zachary Tonzetich
    - Parliamentarian – Elaine Sanders
    - Council member at-large – William Land

- Student Representative – Roberto Silva Villatoro
- The Minutes, election of the Vice Chair/Chair Elect and the Graduate items were approved.

Dr. Zenteno thanked Dr. Shipley for attending today's meeting and also for the lovely reception with colleagues from the Department Chair's Council and University Leadership Council at the Southwest Campus to celebrate another successful academic year.

### III. Reports

#### A. **Academic Affairs Update** – Heather Shipley, Sr. Vice Provost for Academic Affairs and Dean of University College (*PowerPoint presentation uploaded to Faculty Senate SharePoint site and [website](#)*)

- Dr. Shipley reiterated Dr. Zenteno's acknowledgement of the reception and also sent Dr. Espy's regrets from being unable to attend today's meeting. She mentioned that Dr. Espy is marking a milestone in her own family with her daughter graduating from law school.
- Dr. Shipley reviewed a few achievements from this past academic year including:
  - MS in Environmental Science chosen as Example of *Excelencia*, with Masters of Social Work also recognized as a finalist;
  - Inaugural Faculty Appreciation Week (Fall) and Celebrate Teaching Week (Spring) which included events to recognize faculty and the important role they play in our students' success; and
  - Transition from Blackboard to Canvas Learning Management System.
- Dr. Shipley reviewed UTSA's shared governance model noting the decision-making framework beginning with the UT System Board of Regents and concluding with the approved UTSA Strategic Plan. The slide highlights the many shared-governance bodies within UTSA and their roles in the decision-making processes at the university.
  - Dr. Shipley further described the shared governance processes, including participatory representative committees which utilizes the academic community (faculty, staff and students), then the Shared Governance Representative Committees (SGA, Faculty Senate, Staff Senate, Chair's Council) which make up the University Leadership Council along with the college deans, vice provosts and vice presidents. The ULC then advises the Provost and the President in their decision-making or the Vice Presidents, Deans and Vice Provosts depending on the programs that are going on at that time.
  - Dr. Shipley emphasized the various types of levels of review. The academic community has departments or divisions which reside within a unit that have college deans who are represented in Academic Council who then represent their colleges on other university-wide committees, such as University Leadership Council.
  - Dr. Shipley continued describing the role faculty play in educational policy formulation. For instance, faculty serve on committees in their departments and create processes and practices through their by-laws and then we have the Faculty Senate who have the authority to consider

matters such as academic curriculum, degree programs, policy and many of the actions the Senate undertakes on a monthly basis.

- Dr. Shipley further highlighted items that recapped the year including:
  - Fiscal Transparency – IRM model is still new to campus and how monies are being used.
    - Questions provided by the Senate regarding the budget process and IRM effectiveness;
    - Provost convened meeting with FS Executive Committee and Academic College Deans to share information; Allowed the Deans to share information on how they use IRM; how they see the IRM model and what it has allowed them to do. One outcome is the Deans will include college IRM information in their fall college meetings. In addition, the Provost will include IRM agenda in Spring College Senator meetings with the Deans.
    - VPBA Budget meetings will continue having discussions with Faculty Senate and Department Chairs.
  - Faculty Compensation
    - Strategic Compensation Strategy which allows us to invest in outstanding faculty. Will continue to use those strategies to adjust compensation to ensure we are competitive with our Carnegie R1 peers.
    - Committee used to conduct peer investigation of compensation practices for P&T, CPE & Chairs & FTT's which has faculty senators, chairs, deans and faculty-at large. Currently working on gathering the data. Findings will be shared with the Senate. The Provost will also share with the Deans and then a strategy will be formulated to address the findings.
    - The Provost received the memo the Faculty Senate developed regarding compensation for P&T. The provost will share that memo with the Deans as part of the larger discussion surrounding the compensation practices.
  - Government Relations
    - The Department Chair's and Faculty Senate, through the Chairs (Janis Bush and René Zenteno) have been in conversations with President Eighmy regarding the legislative session.
    - Updates included during the University Leadership Council meetings and other forms of communication;
    - René Zenteno provides updates to the Faculty Senate, along with Carlos Martinez, Sr. Vice President and Chief of Staff. Our hope is that this process has worked and provided quality updates and feedback as the legislative bills have worked their way through the various stages in the Texas House and Senate.
  - Strategic Plan Refresh – UT System requested we review our Strategic Plan every 5 years; however, it's also a great time for UTSA to evaluate and provide feedback and refresh the plan to ensure it aligns with what we said we want to do as a university. As part of that process:
    - Town Hall was held in November to launch the process;
    - College conversations took place which allowed faculty, staff and students opportunities to provide feedback;

- On April 11<sup>th</sup> there was a special joint Faculty Senate/Department Chair's session to provide additional input regarding the Strategic Plan; and,
    - The Committee is drafting the report with all of the input they gathered from the feedback/listening sessions. There will be additional opportunities for further input into the process.
  - Facilities & Real Estate, Construction and Planning
    - Veronica Salazar, Sr. Vice President for Business Affairs attended a Faculty Senate meeting to address the concerns the Faculty Senate shared regarding classrooms, furniture and building conditions. She developed a memo which summarized the concerns. The presentation is also on the Facilities [website](#).
  - FTT Update – last month Valerie Sponsel provided the Faculty Senate with an update on the FTT Task Force – recap:
    - Updated HOP 2.02 and HOP 2.50 with FTT faculty senators and ADTS FTT Committee. The policies:
      - Align with revised UT System Regents' Rules;
      - Clarify various titles and ranks;
      - Senior lecturer can be full-time or part-time; and
      - Added a college review committee to the review process
    - Conducted FTT promotion workshops to support faculty through the review process. We will continue this every fall to assist FTT faculty undergoing the promotion process;
    - FTT faculty are working with Graduate Council on enabling FTT faculty to chair graduate committees;
    - Currently reviewing the following items:
      - Formal mentoring program for FTT faculty;
      - Office space for FTT faculty;
      - Development leave program for FTT faculty related to teaching and other pedagogical themes within the auspices of our own HOP policy and Regents' Rules.
- Dr. Shipley wanted to offer a grateful thanks on behalf of her and the Provost to the faculty for a successful year. She knows that it can be a stressful time, but they truly appreciate faculty's passion and what you all do for our students. Both she and the Provost hope to see the faculty at Commencement which is scheduled for May 20, 2023.

### ***Q&A Session with Dr. Shipley***

***Question*** – In HOP 2.50, what is the reason for the no-limit in some of the categories, especially in the area of senior lecturer. It seems to be causing some uneven decisions at that promotion level. How is the university monitoring the implementation of this policy?

***Answer*** – We noticed that in the senior lecturer category there is no minimum or maximum. Dr. Shipley stated she will take that back to the committee to review. She recalls that it may be due to the change to adding the part-time in that series. The next step would be a conversation within the shared governance process and recommendation to update the HOP policy. Many of the colleges are moving their faculty into the full-time position in the series and those have the minimums, but we can look at the senior lecturer series again.

**Question** – We would like to know if every review committee should have an FTT member on the committee for better representation?

**Answer** – The guidelines state that there should be at least one FTT member on those committees. Additional FTT members can participate in the process, but the guidelines state that at least one member should be an FTT member. The department and college by-laws should dictate additions to the minimum, but it does state that FTT's are part of the process.

**Question** – As departments are being asked to write clear merit and promotion guidelines, are they being asked to write the same for FTT colleagues?

**Answer** – Yes, as a part of the document to ask for evaluation guidelines, it also included promotion and tenure, FTT promotion and annual review.

**Question** – The 2023-2024 Promotion and Tenure Guidelines now includes a new level of review - College Review Committee. This brings the total number of levels of independent review to five in the merit and annual process. What is the timeline to ensure that this process is conducted and do the departments know about the timeline? We are concerned about the details of organizing the teaching observations.

**Answer** – Yes, these guidelines are being communicated. Recall the FTT promotions occur in the Spring, so there's time to send out all of the information regarding the process and timelines. We are also sending out information to those who are eligible for promotion so they have sufficient time to schedule the peer observations. The first email will go out around May 15<sup>th</sup>. A reminder will be sent out shortly after the fall semester begins.

**B.** Dr. Zenteno thanked Carlos Martinez for attending Faculty Senate to provide a legislative affairs update.

- Mr. Martinez stated that as of today there are 25 days remaining in the regular session and as standard process the legislative process is a lengthy one with members working long hours. Mr. Martinez used an example of another bill that is currently being debated by the legislature to describe the process of how a bill is presented on to the floor of the House. He mentioned that due to the nature of this specific bill, House rules were broken, the Speaker cleared the House so the debate could resume. He went on to state that this particular bill was pulled on a point of order. Mr. Martinez used this example to help the Faculty Senate understand the entire process and that some points of order can be fatal to a bill and some are procedural and the bill can return to the House floor for continued debate and review. At this stage, this particular bill was returned to the committee and will return to the floor for further discussion tomorrow. Mr. Martinez further pointed out that time becomes a challenge at this point as we are approaching critical deadlines. Any issue that delays or stops the process for one bill delays all other bills from being read, having hearings, etc. until those issues are resolved.
- Mr. Martinez mentioned that the next critical deadline is May 23<sup>rd</sup> for a second reading of a bill. Some bills the Faculty Senate are interested in (SB 16 – CRT, SB 17- DEI, and SB 18 – tenure) have not had a hearing yet. Next deadline for the second reading is May 23<sup>rd</sup> and there are three readings for each bill.
- SB 17 and SB 18 were referred to the House Committee on Higher Education on April 28<sup>th</sup>. They are scheduled for a hearing on Monday, May 8<sup>th</sup> at 8:00 a.m. It's a public meeting and anyone can attend or you can watch online. Chairman

Kuempel is the chair of the House Committee on Higher Education. Mr. Martinez stated there have been several conversations over the past few days as to what SB 17 and SB 18 will look like as the bills continue to be updated. Mr. Martinez believes since it didn't move quickly in the House that this may not be a priority for the House leadership. Nevertheless, there is plenty of time for a bill to move forward.

- Mr. Martinez explained that next week a House sponsor will arrive and the House Committee on Higher Education will listen to the sponsor who details the bill and then they listen to public testimony which can last hours. Mr. Martinez senses there will be representatives from AAUP and UT Austin who have signed up to provide public testimony. He further stated that if a member of the Faculty Senate decides to attend, you can say that you are a member of the UTSA Faculty Senate, but you are attending on your own personal capacity as not as a representative of the University.
  - Mr. Martinez stated that we will probably have staff from UTSA attend the hearing to monitor the session.
  - The committee may leave the bills pending in committee for a day or two as they work out any issues/languages. The following are the next steps if the bill is voted out of committee:
  - The bills will go to a calendaring committee – of which there are two main calendars:
    - Major State Calendar – moves very fast; contains issues of state-wide priority for the legislature;
    - General State Calendar – contains everything else, except for local matters (SB 17 & SB 18 would not appear on a local calendar)
    - For both calendars – the bills go in order in which they appear. The bills remain on these calendars until the House debates votes, amends, passes, point of order, or it fails to pass. Everyday there is a new calendar. It takes time for a bill to get on the calendar.
- Mr. Martinez stated that in the background is the budget bill (HB1) which has already passed the House and Senate and is in the conference committee. They are holding the final decisions on the budget bill as leverage, which is standard, while all of the other bills are being reviewed and debated. You will see final actions on the budget bill until May 27<sup>th</sup> or May 28<sup>th</sup> in part because of everything else going on.
- Mr. Martinez stated that based on conversations surrounding SB 17 (DEI) there is some flexibility in the bill to be able to continue the work that aligns with our mission and core values. However, nothing is final yet. Conversations are ongoing and the language of the bill is still being edited until Monday when the bill is posted.
- Mr. Martinez reiterated the same for SB 18 (tenure). He hasn't seen any language or dialogue for that particular bill. He is aware that multiple university systems are working with the committee on the language for the bill and the impact it would have to recruit and retain faculty.

### ***Q&A Session with Mr. Carlos Martinez***

***Question*** – Can you clarify the date that bills have to be voted on to move forward?

**Answer** – For Senate bills that are in the House, such as SB 17 and SB 18, they have to be voted on the second time in the House by May 23<sup>rd</sup>. It's possible if there's other legislation that's moving quickly, the date could be amended.

**Question** – Could these bills come back again in another year or two if they do not pass now? If so, how can we as faculty at UTSA be better prepared for that landscape and voices can be heard?

**Answer** – Yes, we should expect these issues to come up again if they are not resolved in the manner that does not satisfy the legislature. For instance, the campus-carry bill was filed in 1995 and didn't pass until 2017. Some bills are filed, and re-filed many, many times. The dynamics in this state and the conservative nature isn't going to change overnight. The electorate which sends people to represent their values and views influences what occurs at the Capitol. So, as faculty continue to teach what you teach, doing it very well and consistent with your values. Be aware that if you stray away from the academic area of teaching and you stray into politics someone could be offended by that. Be committed to your profession. Lastly, go and vote.

**Question/Comment** – I understand what you are saying, but understand that some of the elements that I teach are being politicized by others. If I stay within the academic content of the subjects I teach, it's not that I'm straying into politics it's that the content has been politicized by certain elements. Some areas in other subjects, such as demography and mathematics are now being deemed as political.

**Answer** – As you teach your subjects, but sensitive to those who are receiving the information. Some messages are often taken out of context. I'm not saying you shouldn't teach the subjects you are teaching, as many of you are scientists, facts are facts and truth is truth, but we also need to be sensitive to how it may be perceived. How we react and respond is important.

**C. Chair's Report** – René Zenteno (*handout uploaded to Faculty Senate SharePoint site and [website](#)*)

Dr. Zenteno provided an update from the University Leadership Council which included:

- Legislative Update, which Carlos Martinez discussed with the Faculty Senate;
- Strategic Plan Refresh, which Dr. Shipley mentioned in her remarks, including the joint listening session held on April 11<sup>th</sup>. It was a great example of shared governance. You should have received the notes I emailed on April 30, 2023, please read and share with your academic departments.
- Dr. Zenteno thanked the Provost for hosting the joint reception for the Faculty Senate, Chair's Council and University Leadership Council at the Southwest Campus on May 3<sup>rd</sup>. Dr. Zenteno thanked the Provost and Dr. Shipley for their support of the work of the Faculty Senate and to keep the conversations going.
- He announced that the Faculty Senate will once again host a Retreat on August 16, 2023. The retreat will be in-person and will be held in the JPL Assembly Room from 12:00 (noon) – 4:00 p.m. More details will follow. This was a wonderful time to establish priorities for the coming year as planning is very important.
- Dr. Zenteno recapped the highlights of the issues/matters that the Faculty Senate undertook this past academic year. He is very grateful for the work that was accomplished. The details are in his report, but they cover:

- Faculty Equity & Compensation;
- Maintaining R1 Status/Greater Research Administrative Support & Funding; NRUF support is going to disappear and used for other higher education programs in the State of Texas. However, there will be a similar program for institutions like UTSA which I believe is going to be called the Core Research Support.
- Improved transparency on budget, IRM, funding colleges and hiring;
- Shared governance;
- Effective use of meetings;
- Being an advocate for faculty
- Dr. Zenteno also highlighted other important issues the Faculty Senate discuss:
  - Approval of many graduate and undergraduate degree programs
  - HOP review process;
  - Faculty Senate Bylaws Review – this will be taken up in the Fall
  - Faculty Code of Conduct;
  - Chat GPT and its implications
- Dr. Zenteno expressed his thanks to the Faculty Senate Executive Committee members for their support as we have dealt with many important issues this past year. He specifically thanked Chad Mahood, Past Faculty Senate Chair, for his service on the Faculty Senate and his guidance during Dr. Zenteno’s first year as Chair. This will be his last year serving on the Faculty Senate and we will miss him very much. Also, thanked Mary McNaughton-Cassill for her service as Secretary of the Faculty Senate as her term expires this year.
- Dr. Zenteno recognized the Senators who have served on all of the university and UT System committees and thanked them for their service. He also recognized and thanked Dr. Arturo Schultz, who served as the liaison from the Department Chair’s Council and Justin Marmolejo, who served as the liaison from the Staff Senate. Finally, he thanked the Academic Affairs staff, Debbie Howard-Rappaport, Angie Griffith, Yvette Milo, Debra del Toro and Ximena Grau for supporting the Faculty Senate this past year in their various roles.

#### **D. Secretary of the General Faculty – Chris Packham**

Dr. Packham mentioned he and Dr. Zenteno attended the final UT System Faculty Advisory Council meeting for the year which was held in Austin on April 27-28, 2023. The dominant subject concerned the bills circulating at the Capitol. The Governmental Relations Officer from UT System attended the meeting and provided an overview; although things have changed since that meeting as they always do. The FAC had a discussion on how to react to things if the bills reappear in a couple of years. The FAC had a similar reaction to what was written in the Chat – which consisted of educating our friends and community members about tenure, academic freedom and DEI. Dr. Packham suggested this could be a topic for the next Faculty Senate session. In addition, we provide campus updates at these meetings and it seems that shared governance at UTSA is in a better position than at other institutions.

#### **E. Committee Reports:**

##### **University Curriculum Committee – Andy Lloyd**

- Minor in Mexican American Studies



Dr. Lloyd reported the University Curriculum Committee reviewed the Minor in Mexican American Studies proposal. The committee unanimously approved the proposal and has no questions or concerns. The committee feels that it will be a valuable program at UTSA and the department. Representatives from the department, Dr. Alejandra Elenes and Dr. Lilliana Saldaña, were present at the meeting to address any questions the Senate may have regarding the proposal. Since there were no questions, a motion was made by Mary Dixson and seconded by Kirsten Gardner to approve the Minor in Mexican American Studies. There being no discussion, and no objections, the motion was approved.

**Graduate Council Chair** – no report

**Budget Committee** – no report

**HOP Committee** – no report

**Research Committee** – no report

**Academic Freedom, Evaluation and Merit Committee** – Kerry Sinanan

Dr. Sinanan thanked the AFEM committee for assistance in drafting the Resolution and that we are proposing to vote on the Resolution as it is currently written.

Dr. Zenteno opened the meeting for discussion. There was discussion among the Faculty Senate regarding the merits of publishing a resolution at this time which would become a public document. There was wide appreciation for the document itself as being well-written and well-documented. Some faculty members expressed concern over whether or not publishing the resolution would go against the compliance training of using state resources to campaign for or against a bill. It was understood that no actual bills are noted in the resolution, but the spirit of the resolution might point to bills that are being adjudicated during this year's legislative session. Further points included:

- The resolution only states existing facts, affirmation of current status which is allowed.
- We are also allowed to state the impact of a bill, if asked. We are not allowed to advocate for a bill, but can state the impact of a bill/policy and how it affects our employment.
- Concern of who the audience is intended for this resolution. If it is for our leadership, then they already understand the importance of tenure and academic freedom.
- The resolution may not move the needle in Austin and may fuel distractions already present. It was suggested to wait until the legislative session has concluded to see if the tenure bill passes and then re-visit the resolution.
- Dr. Sinanan mentioned, as a point of order, that a lot of this discussion would have been more appropriate at the April meeting before the Faculty Senate voted to task the AFEM committee to write the Resolution. She stated that she appreciates all of the comments, but the process asked the Committee to write the Resolution.
- Further discussion surrounded that at the last meeting, the discussion regarding this matter was brought about late in the meeting so there wasn't a lot of time for discussion or to think about all of the implications from one meeting to the next, so some comments regarding

the subject are now being brought to the forefront. Senators expressed that the topic does need to be discussed, but one of their concerns is timing of the resolution and the audience it's intended for at this time. In addition, it may be that the people who need to be educated on the merits of tenure and academic freedom are students and community members and we need more work than a resolution.

- Dr. Mahood pointed out that there already is a motion on the floor by Kerry Sinanan to vote on the Resolution. He stated that we would need a second before we could move on to further discussion or another motion. Andy Lloyd seconded the motion.
- There was discussion regarding timing of the bill and only to publish after the legislature sessions closes which could mitigate some of the concerns. The other item discussed was adding an introductory paragraph that could explicitly explain tenure, which could address some of the concerns expressed by the Senators. Dr. Sinanan stated that was considered, but omitted, because if added it would have directly addressed SB 18. The resolution is an existing status of tenure. Additional comments were that we release the statement as it is originally written and, in the timeline, originally envisioned as it wasn't believed to be intended for a larger audience to sway their opinions, but to speak to our own colleagues and champion the work we do and to push back against the strategy to remain silent. One Senator stated that, while he agreed with the overall sentiment, he pointed out that the resolution asks President Eighmy to do something – “continue supporting and facilitating the protections of tenure as integral to academic freedom.” His concern is that the resolution goes beyond facts and the Faculty Senate is using its position to weigh in on a bill under consideration at the legislature. He further stated that each individual Senator is able to comment on legislation in the personal capacity.
- Dr. Zenteno mentioned that due to the lateness of the meeting, we needed to move forward with the motion.
- There was a motion made by John Alexander and seconded by Lauren Riojas-Fitzpatrick to table the Resolution.

***The Faculty Senate vote was as follows:***

***Approve: 14; Disapprove: 16; Abstain: 4***

The motion did not pass to table the Resolution. Therefore, the original motion to vote on the Resolution will be conducted via an electronic vote. If passed, the Resolution will immediately be placed on the Faculty Senate website.

***The Faculty Senate vote was as follows:***

***Approve: 21; Disapprove: 10; Abstain: 6***

**IV. Unfinished Business – None**

**V. New Business - None**

**VI. Adjournment:**

There being no further business, a motion was made by Mary Dixon, seconded by Alexis Godet and the meeting concluded at 5:14 PM